



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
PALM BEACH GARDENS REGULATORY OFFICE
4400 PGA BOULEVARD, SUITE 500
PALM BEACH GARDENS, FLORIDA 33410

Palm Beach Gardens Regulatory Office

PUBLIC NOTICE

Permit Application No. SAJ-2002-8273 (IP-KH) **NOV 6 2004**

TO WHOM IT MAY CONCERN: This District has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344) as described below:

APPLICANT:

Palm Beach County Board of County Commissioners
P.O. Box 21229
West Palm Beach, FL 33416

WATERWAY & LOCATION: The proposed project consists of impacts to freshwater wetlands located in and adjacent to the Pond Cypress Natural Area associated with the construction of a new roadway, referred to as the Acreage Reliever Road. The project's starting point is located at the intersection of Okeechobee Boulevard and SR 7 and extends to the end point at 60th Street (east of Royal Palm Boulevard). The project is located in Sections 1,12,13,14 and 24 Township 43 South, Range 41 East in Palm Beach County. To reach the project from West Palm Beach, head west on Okeechobee Blvd. to SR 7. The beginning of the road project is located immediately north of this location.

LATITUDE & LONGITUDE:

Latitude: 26° 42' 30" North Longitude: 80° 12' 30" West

PROJECT PURPOSE:

Basic: The basic purpose of the project is to improve traffic flow.

Overall: The overall purpose of the proposed project is provide a road in western Palm Beach County to relieve traffic congestion on Okeechobee Boulevard and Royal Palm Beach Boulevard.

PROPOSED WORK: The applicant proposes to construct a new 4.5-mile road from the terminus of SR 7 to 60th Street involving the placement of fill in approximately 93.8 acres of wetlands. For further details, see attached drawings number 1-33 dated 10/21/04. A complete set of project drawings and the proposed mitigation plan is available for viewing at the Palm Beach County Regulatory Office.

PROJECT HISTORY: A search of our records indicates that there is no prior Department of Army permit, or activity, found for this specific project. The Florida Department of Transportation commissioned an alignment study in December 6, 1993, by Reynolds, Smith and Hills. The study considered a number of possible northern extensions of SR 7 including the use of the right-of-way currently owned by the State along the eastern edge of the Pond Cypress Natural Area. Palm Beach County then took the lead and commissioned alternative alignment studies. The conclusion of these studies, along with subsequent public meetings, resulted in a preferred alignment along the west side of the Pond Cypress Natural Area.

EXISTING CONDITIONS: The proposed project is located in a natural area containing a complex of pine flatwoods and uplands dominated by saw palmetto (*Serenoa repens*). There are nine wetlands proposed to be impacted in the southern segment (**SR 7 to Persimmon Blvd Segment**) lying in Sections 12, 13, 14 and 24. Wetlands 1 through 9 are all wet prairie/hydric pine flatwoods with a canopy containing slash pine (*Pinus elliotti*) and cabbage palm (*Sabal palmetto*) with a sub-canopy including coco plum (*Chrysobalanus icaco*), wax myrtle (*Myrica cerifera*), myrsine (*Rapanea punctata*), and dahoon holly (*Ilex cassine*). The groundcover in these wetlands consists of maidencane (*Panicum hemitomon*), blue maidencane (*Amphicarpum muhlenbergianum*), torpedo grass (*Panicum repens*), yellow-eyed grass (*Xyris sp.*), and beakrushes (*Rhynchospora spp.*). The canopy in Wetland 6 and 7 also includes cypress (*Taxodium distichum*). Wetlands 7 and 9 are being invaded by nuisance/exotic plant species including melaleuca (*Melaleuca quinquenervia*), primrose willow (*Ludwigia peruviana*), wedalia (*Wedelia trilobata*), and torpedo grass (*Panicum repens*). Wetland number 7 contains up to 50% melaleuca while wetland number 9 contains more than 75% melaleuca. There

are nine wetlands proposed to be impacted in the northern segment (**Persimmon Blvd. to 60th Street**), a one-mile portion of the roadway lying in Section 1. Wetlands 1-8 are all classified as wet prairies and Wetland 9 is a hydric pine flatwoods. All nine wetlands have been invaded by exotic plant species such as torpedo grass, acacia, melaleuca, brazilian pepper (*Schinus terebinthifolius*), Australian pine (*Casuarina equisetifolia*), wedelia, and primrose willow.

MITIGATION: Mitigation proposed for this project consists of the preservation and enhancement of 624.6 acres of high quality wetlands and uplands lying in Sections 1, 12, 13 and 24 for the replacement of the functions and values of the wetland impacts anticipated for this proposed project. The entire mitigation area is to be included in the expansion of the Palm Beach County Pond Cypress Natural Area. To offset 7.4 acres of proposed secondary impacts, 33.26 acres of undisturbed uplands and wetlands are proposed to be preserved and enhanced west of the proposed roadway from 40th Street to 60th Street. Evaluation of the final mitigation proposal will be based on the Wetland Rapid Assessment Procedure (WRAP).

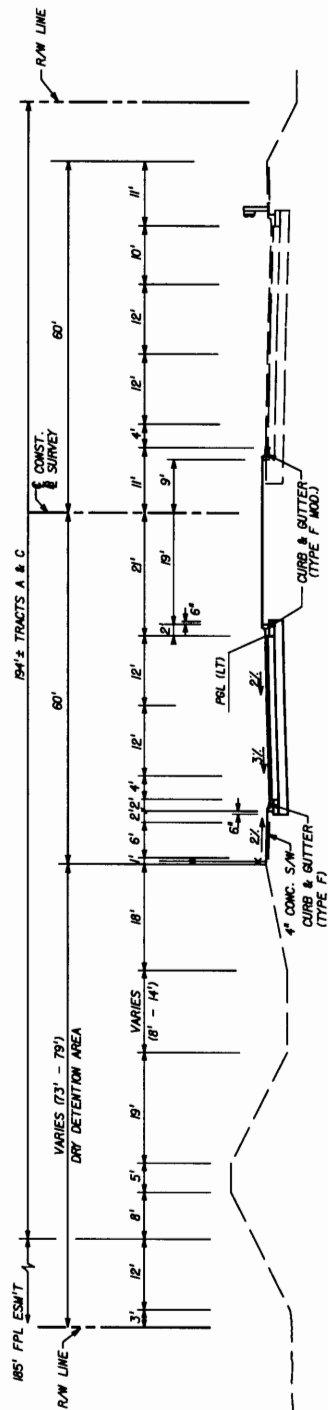
ENDANGERED SPECIES: Wildlife studies conducted on the project site have identified suitable habitat for the wood stork (*Mycteria americana*). Based on information available to the Corps, the project is within the core foraging area of a wood stork colony. The Corps has determined the proposed project may affect the wood stork. The applicant has also indicated the potential for the presence of the eastern indigo snake (*Drymarchon corais couperi*) on-site and will follow the standard protection measures for this species. Based on the on-site mitigation plan and the applicant's agreement to incorporate the standard construction procedures for the eastern indigo snake, the Corps has determined that the proposed project *may affect, but is not likely to adversely affect* any of the above listed species. By separate letter, the Corps and is seeking consultation on these determination^s with the U.S. Fish & Wildlife Service pursuant to Section 7 of the Endangered Species Act. The Corps is not aware of any other threatened or endangered species on the project site.

NOTE: This public notice is being issued based on information furnished by the applicant. The wetland limits have been confirmed by staff members from the Corp's South Permits Branch, Palm Beach Gardens Regulatory office.

AUTHORIZATION FROM OTHER AGENCIES: The South Florida Water Management District is currently evaluating an application for an Environmental Resource Permit (Application Number 030321-4).

Comments regarding this application should be submitted in writing to the District Engineer at the above address within 30 days from the date of this notice.

If you have any questions concerning this application, you may contact Mr. Ken Huntington of the Palm Beach Gardens Office by telephone (561-472-3507), fax (561-626-6971) or by e-mail at kenneth.b.huntington@saj02.usace.army.mil.

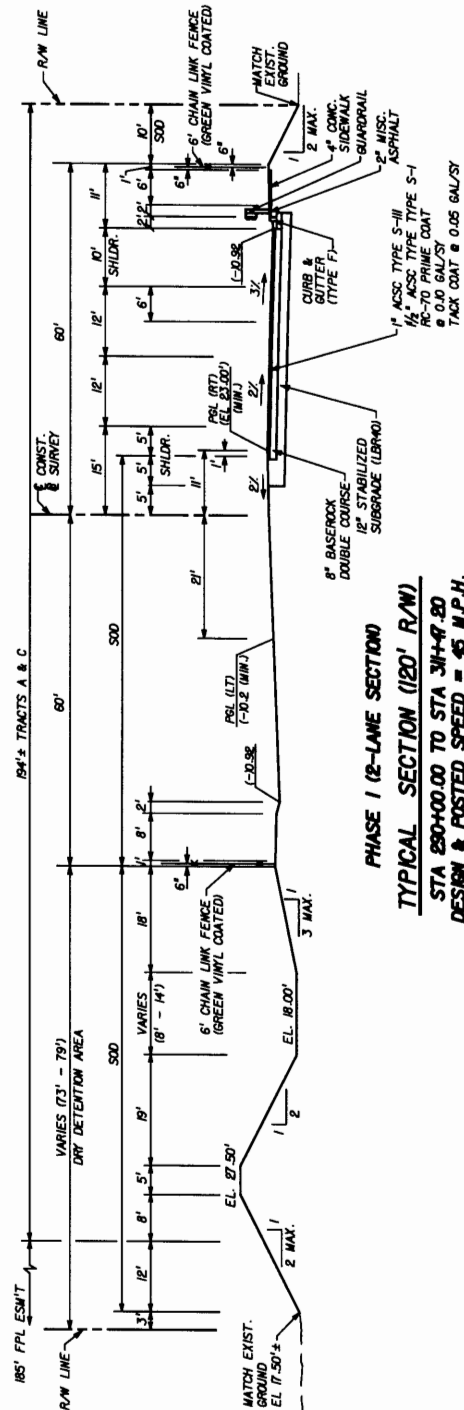


NOTE: THIS TYPICAL SECTION IS INCLUDED FOR INFORMATIONAL PURPOSES ONLY.

PHASE II (4-LANE SECTION)



TYPICAL SECTION (120' R/W)

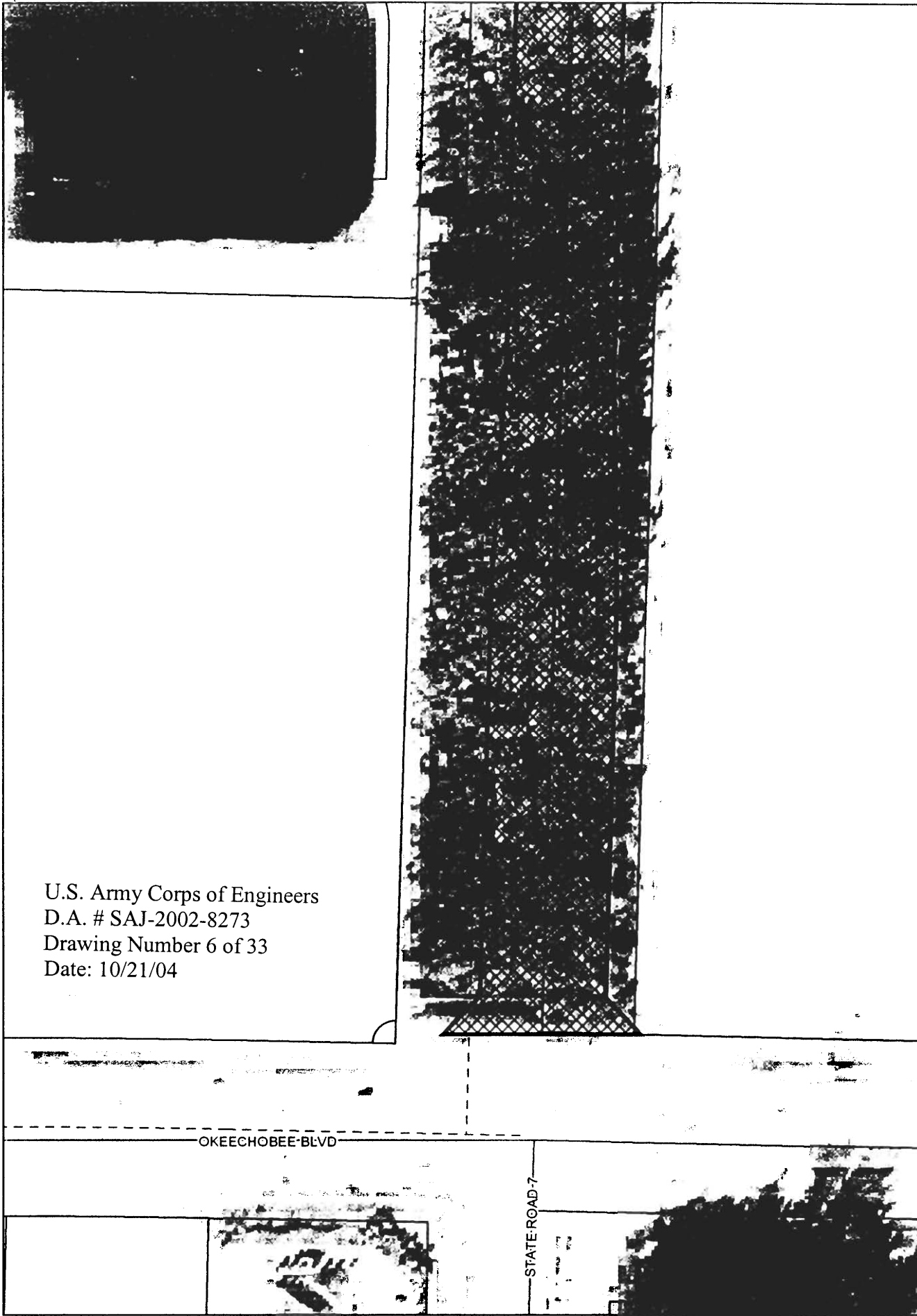
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DESIGN & POSTED SPEED = 45 M.P.H.



PHASE I (2-LANE SECTION)
TYPICAL SECTION (120' R/W)
STA 290+00.00 TO STA 311+47.20
DESIGN & POSTED SPEED = 45 M.P.H.

U.S. Army Corps of Engineers
D.A. # SAJ-2002-8273
Drawing Number 4 of 33
Date: 10/21/04

 K-F GROUP, INC. CONSULTING ENGINEERS		Scale: N.T.S. Approval: JCK Drawn: CM Checked: HLF Date: 05-04	
No.	Description	By	Date
 PALM BEACH COUNTY ENGINEERING AND PUBLIC WORKS ROADWAY PRODUCTION P.O. BOX 9994 WEST PALM BEACH, FLORIDA			
PERSIMMON BOULEVARD E. EXTENSION TO GREENHURST BLVD.		TYPICAL SECTION	
Sheet: 8		Project No.: HMOED	



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D.A. # SAJ-2002-8273
Drawing Number 6 of 33
Date: 10/21/04

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8259 N MILITARY TRAIL, SUITE 3
PALM BEACH GARDENS, FL 33410

OFFICE: (561) 622-554
MOBILE: (561) 662-8849
FAX: (561) 622-7631



**PROPOSED WETLAND IMPACTS FOR
ACREAGE RELIEVER ROAD FROM
OKEECHOBEE BLVD TO 60TH STREET**

**SHEET
1 of 25**

Checked: JFS

Scale: 1" = 140'

Date: 10/11/04



U.S. Army Corps of Engineers
D.A. # SAJ-2002-8273
Drawing Number 7 of 33
Date: 10/21/04

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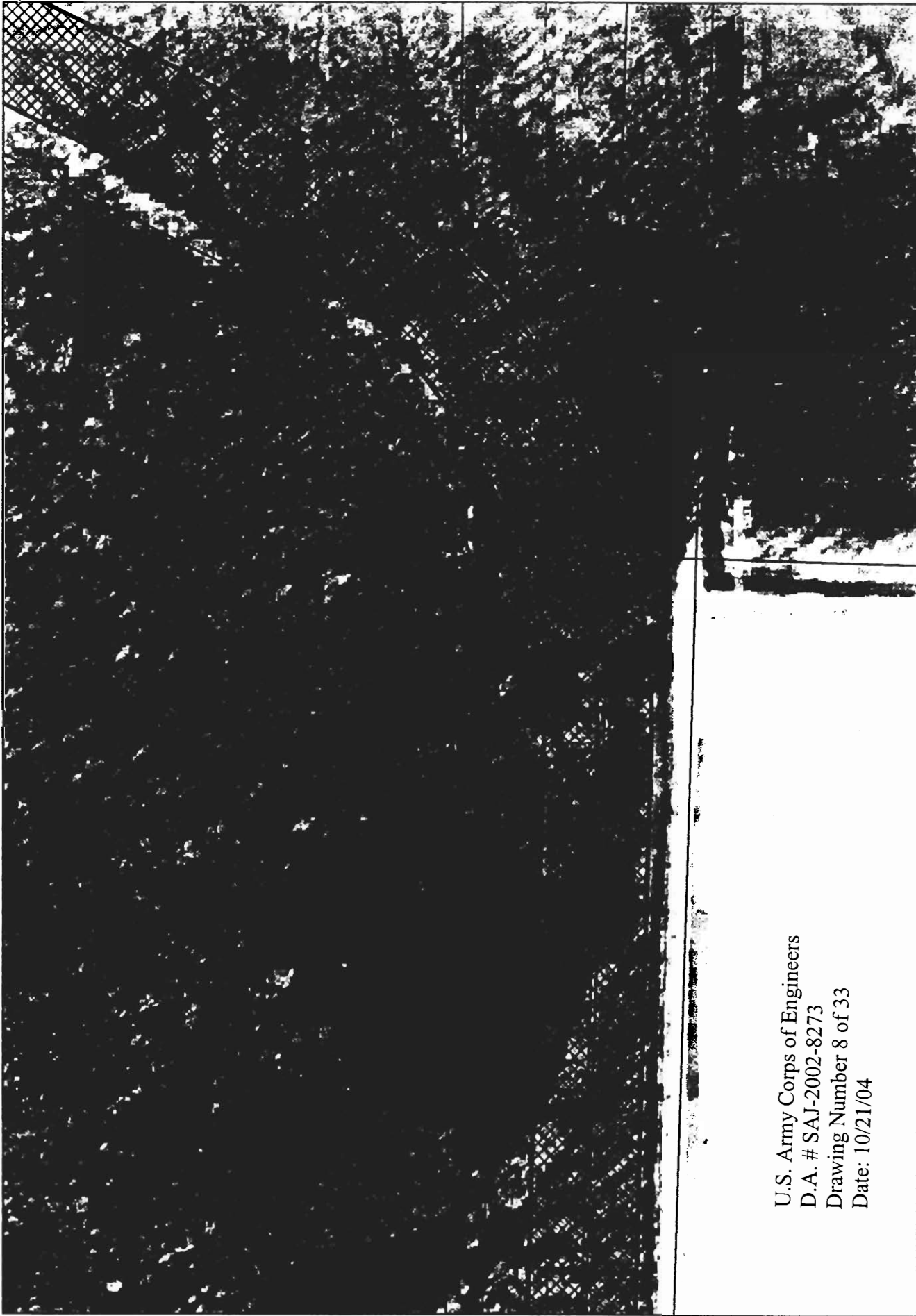
**PROPOSED WETLAND IMPACTS FOR
ACREAGE RELIEVER ROAD FROM
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**SHEET
2 of 25**

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Scale: 1" = 140'

Date: 10/11/04



U.S. Army Corps of Engineers
D.A. # SAJ-2002-8273
Drawing Number 8 of 33
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**PROPOSED WETLAND IMPACTS FOR
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SHEET
3 of 25

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**PROPOSED WET
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D.A. # SAJ-2002-8273
Drawing Number 9 of 33
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**PROPOSED WE
ACREAGE REI
OKEECHOBEE E**

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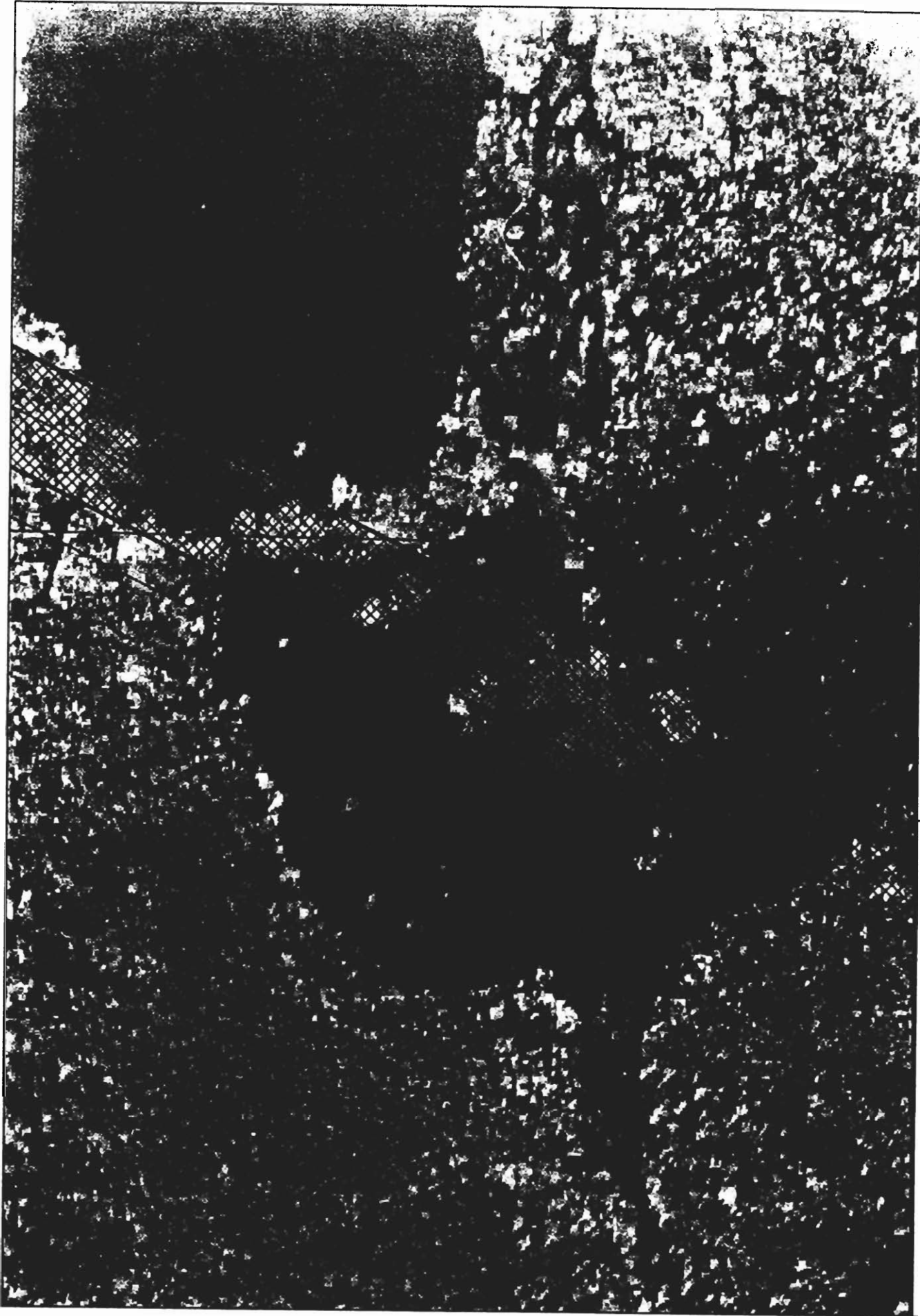
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D.A. # SAJ-2002-8273
Drawing Number 11 of 33
Date: 10/21/04

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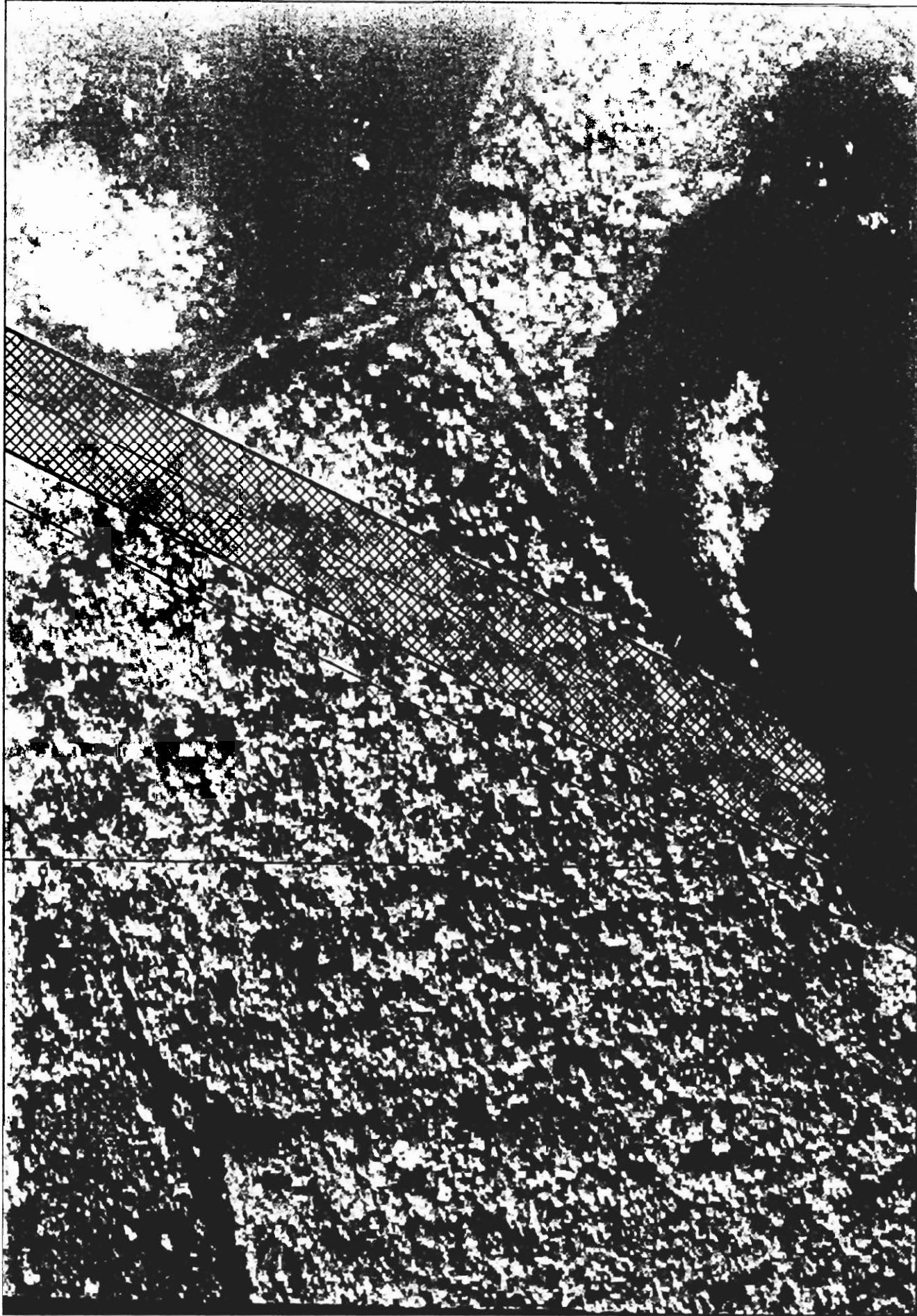
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D.A. # SAJ-2002-8273
Drawing Number 12 of 33
Date: 10/21/04

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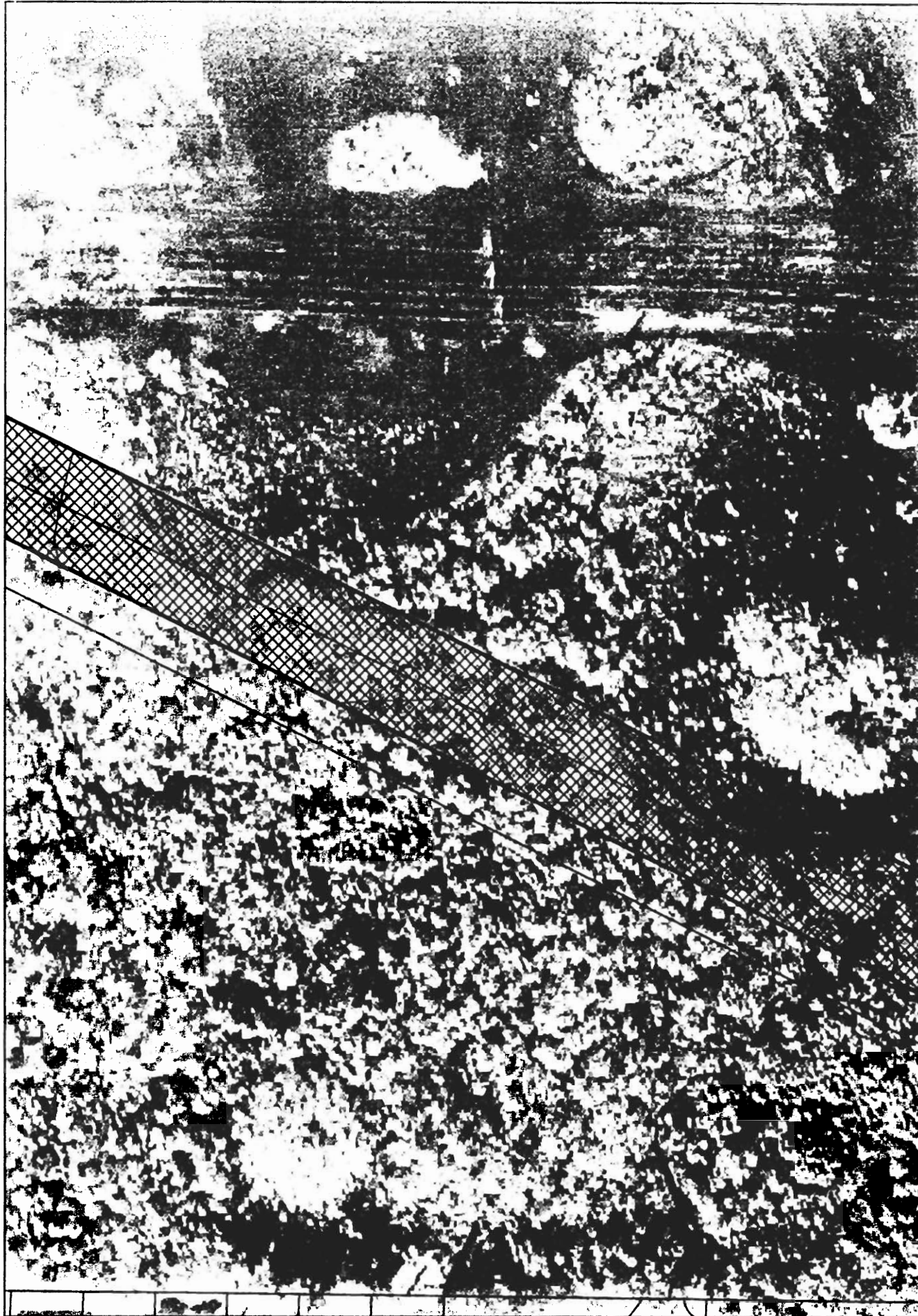
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Drawing Number 13 of 33
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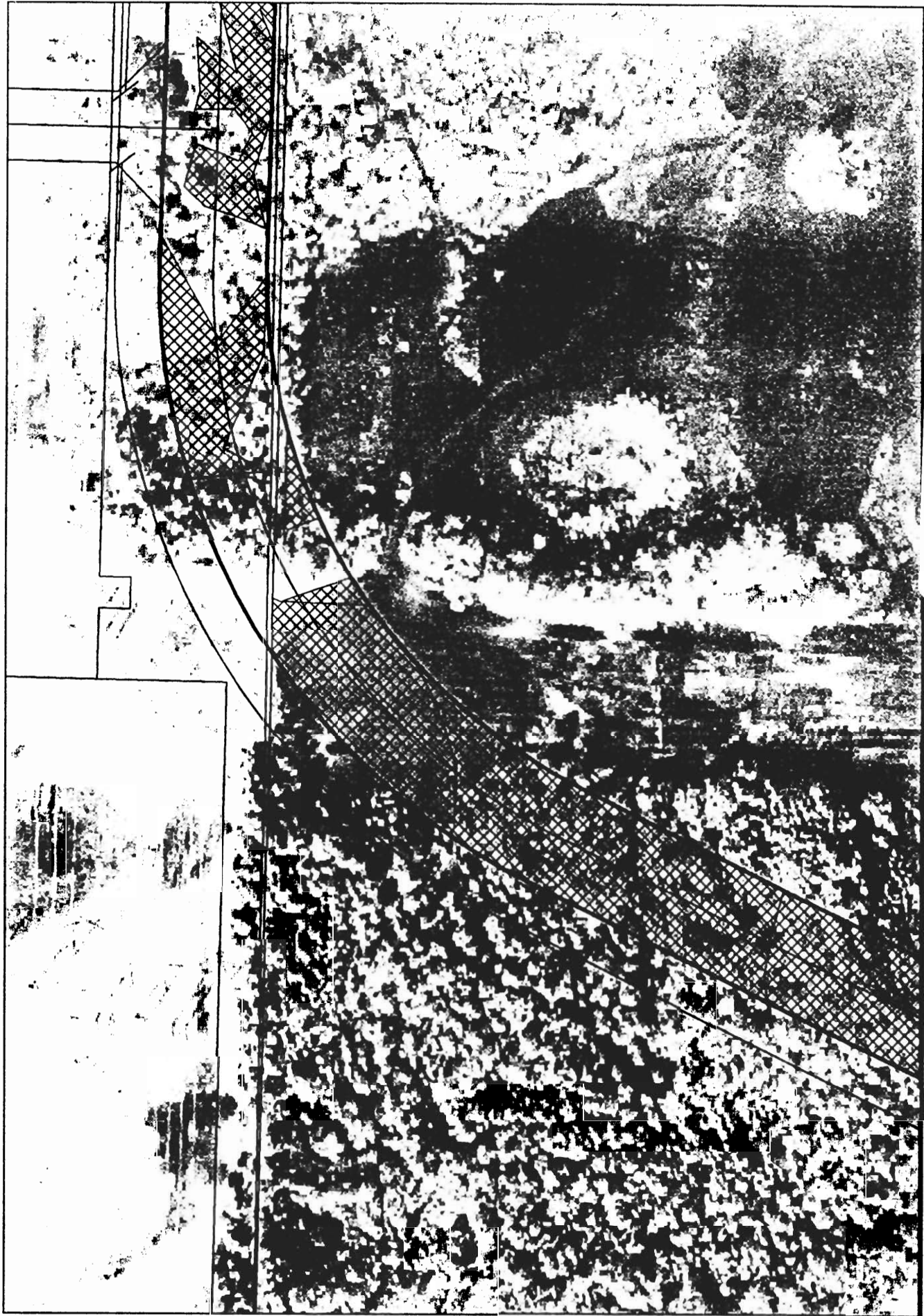
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D.A. # SAJ-2002-8273
Drawing Number 14 of 33
Date: 10/21/04**

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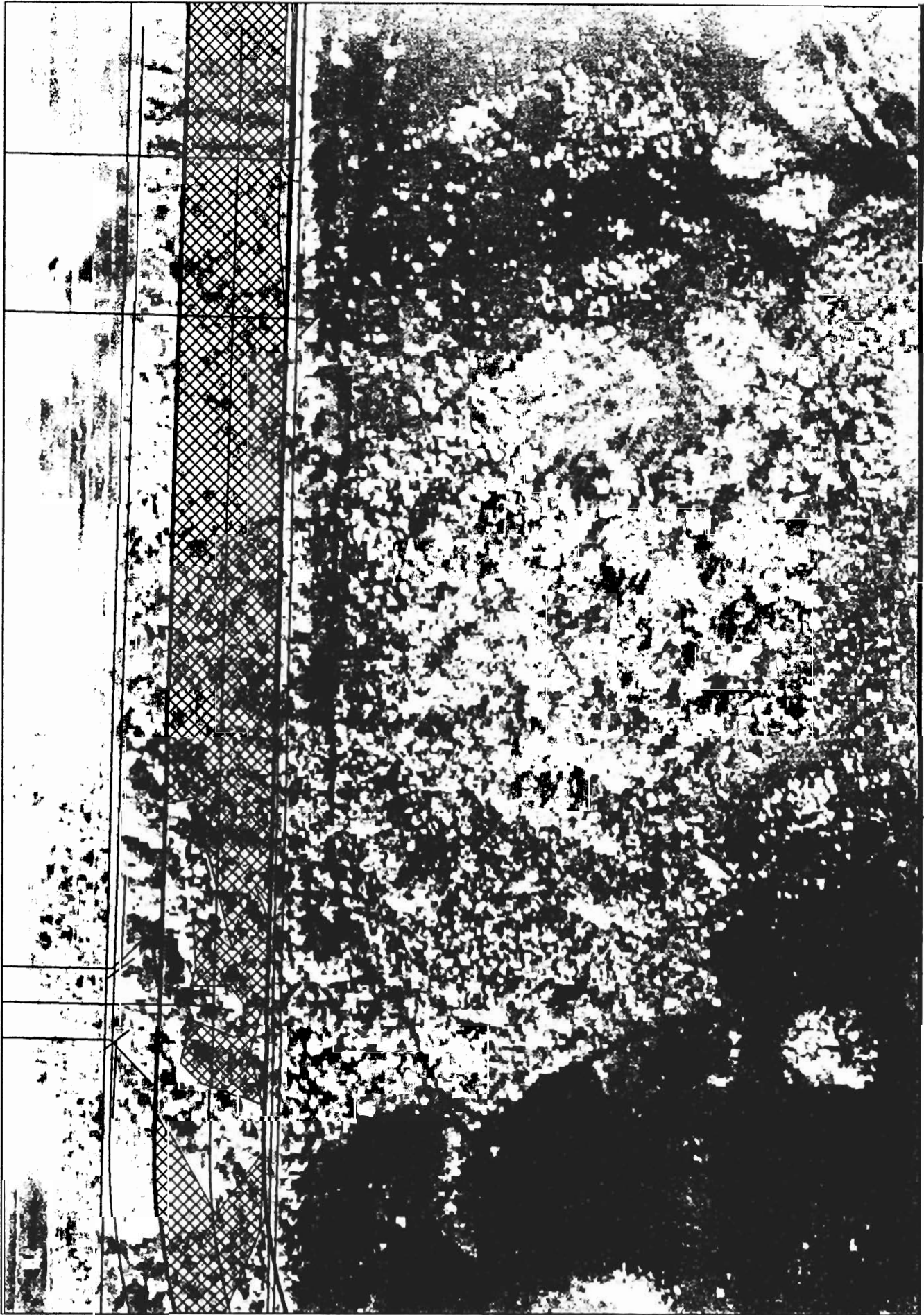
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**PROPOSED WE
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D.A. # SAJ-2002-8273
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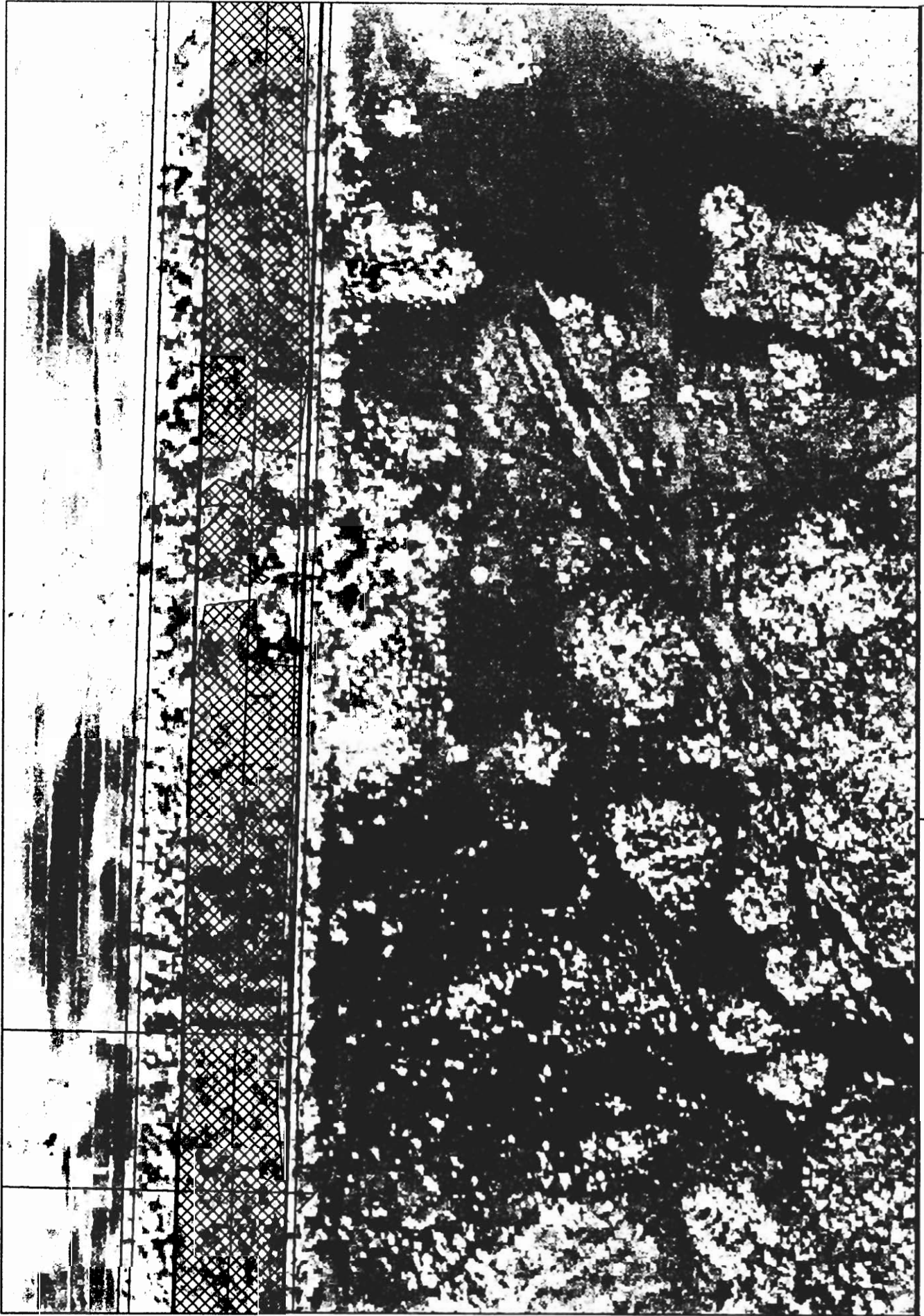
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Date: 10/21/04

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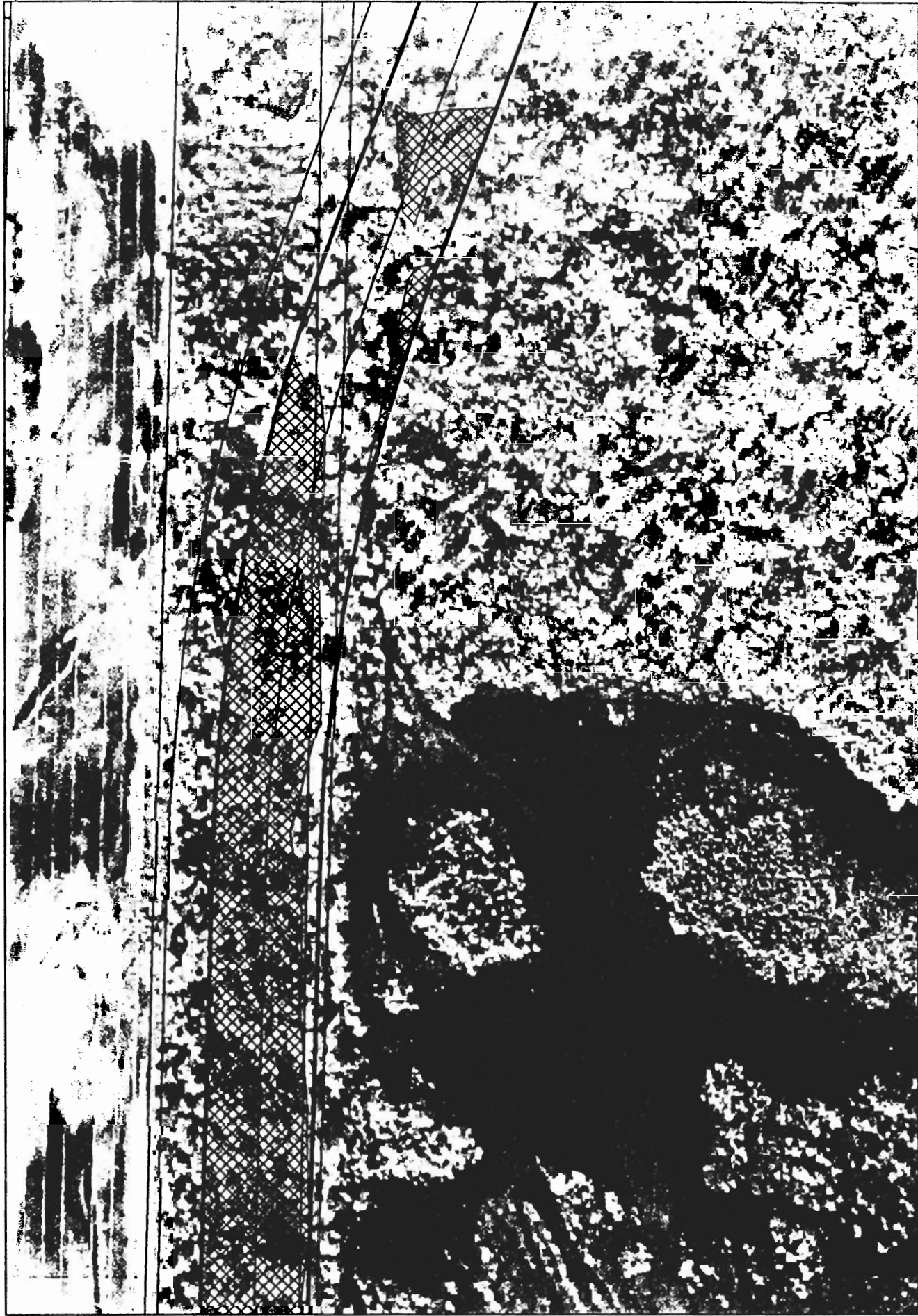
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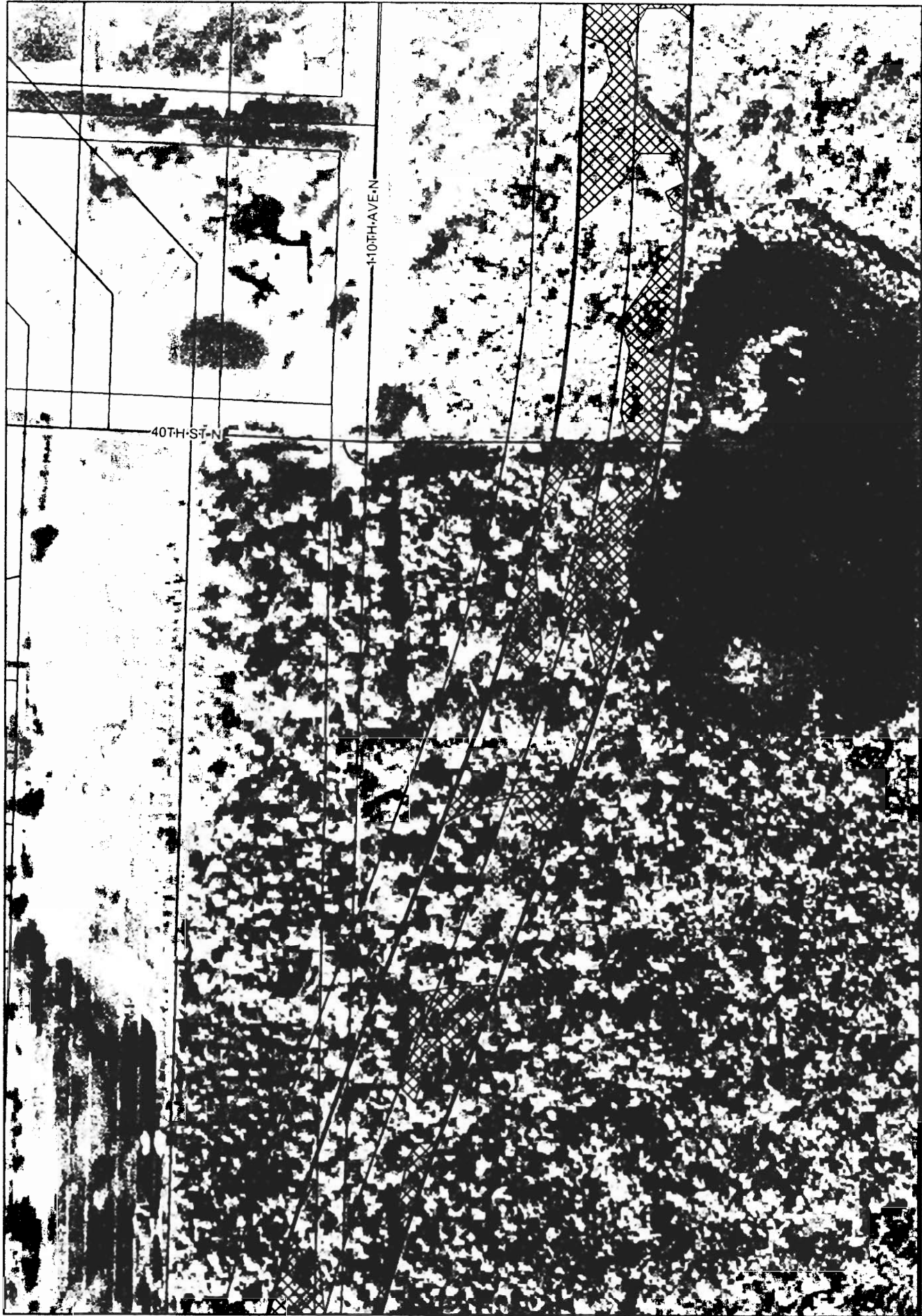
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D.A. # SAJ-2002-8273
Drawing Number 18 of 33
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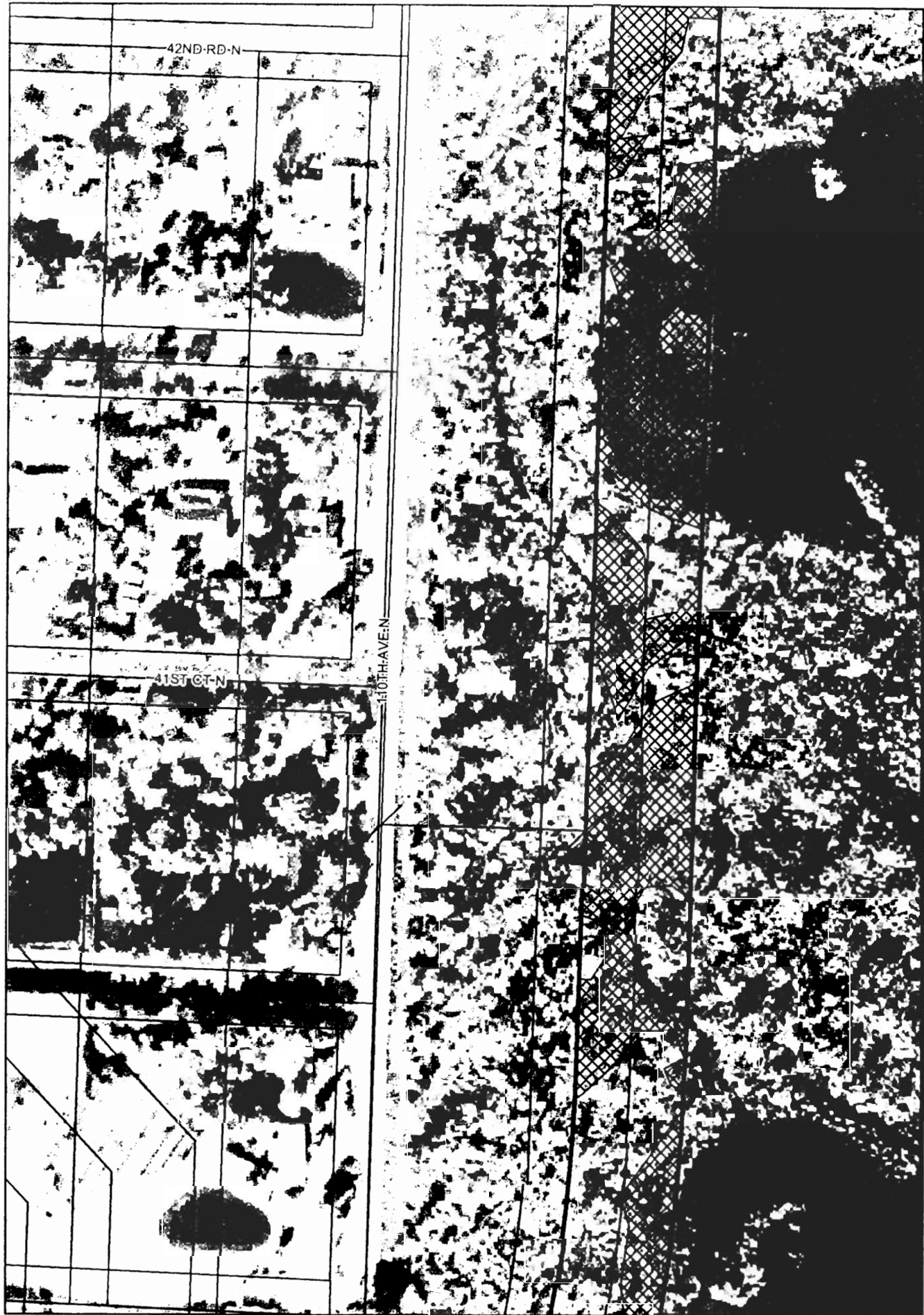
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**PROPOSED WE1
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OKEECHOBEE B**

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Date: 10/21/04**

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**PROPOSED WE'
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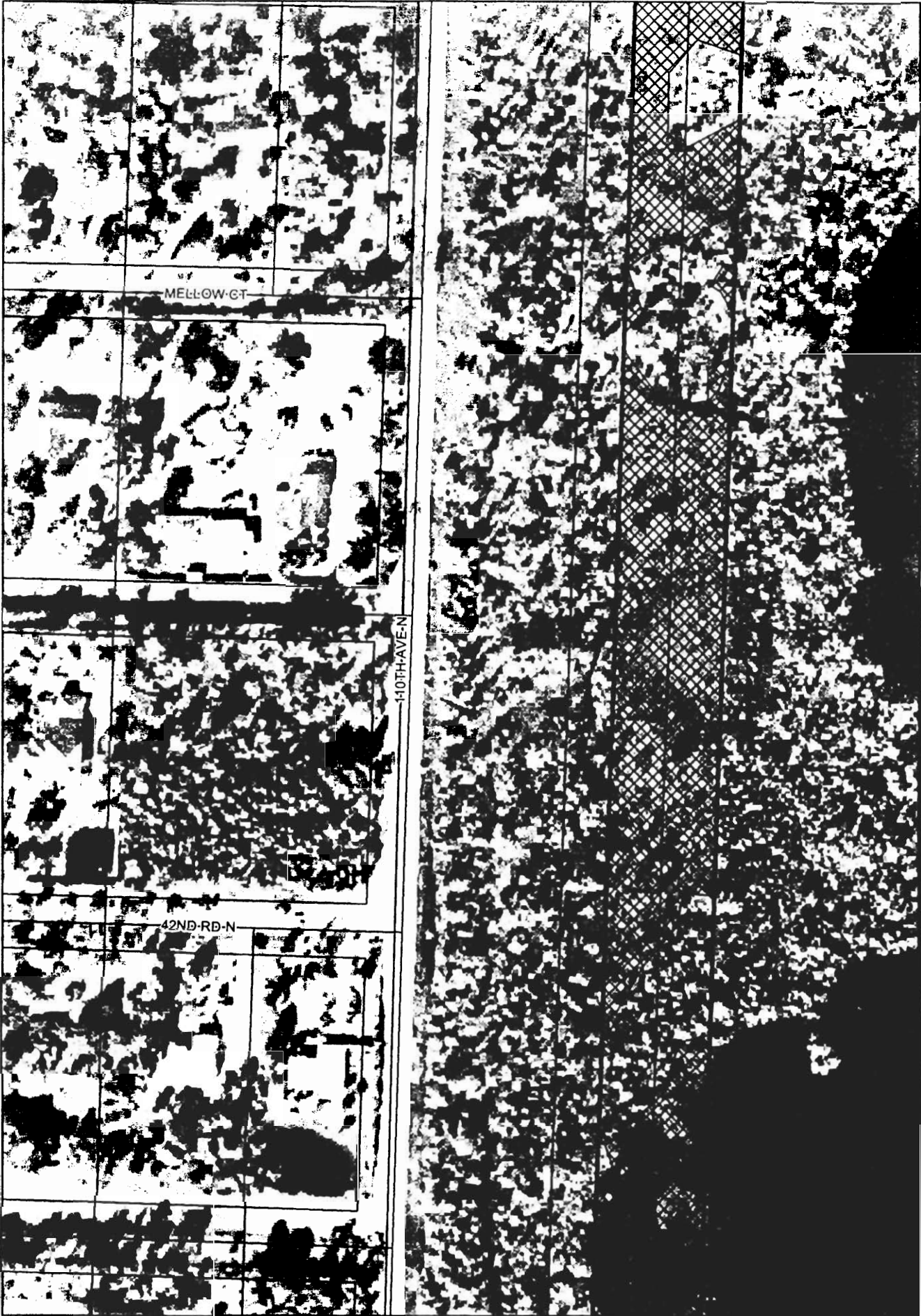
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D.A. # SAJ-2002-8273
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Date: 10/21/04

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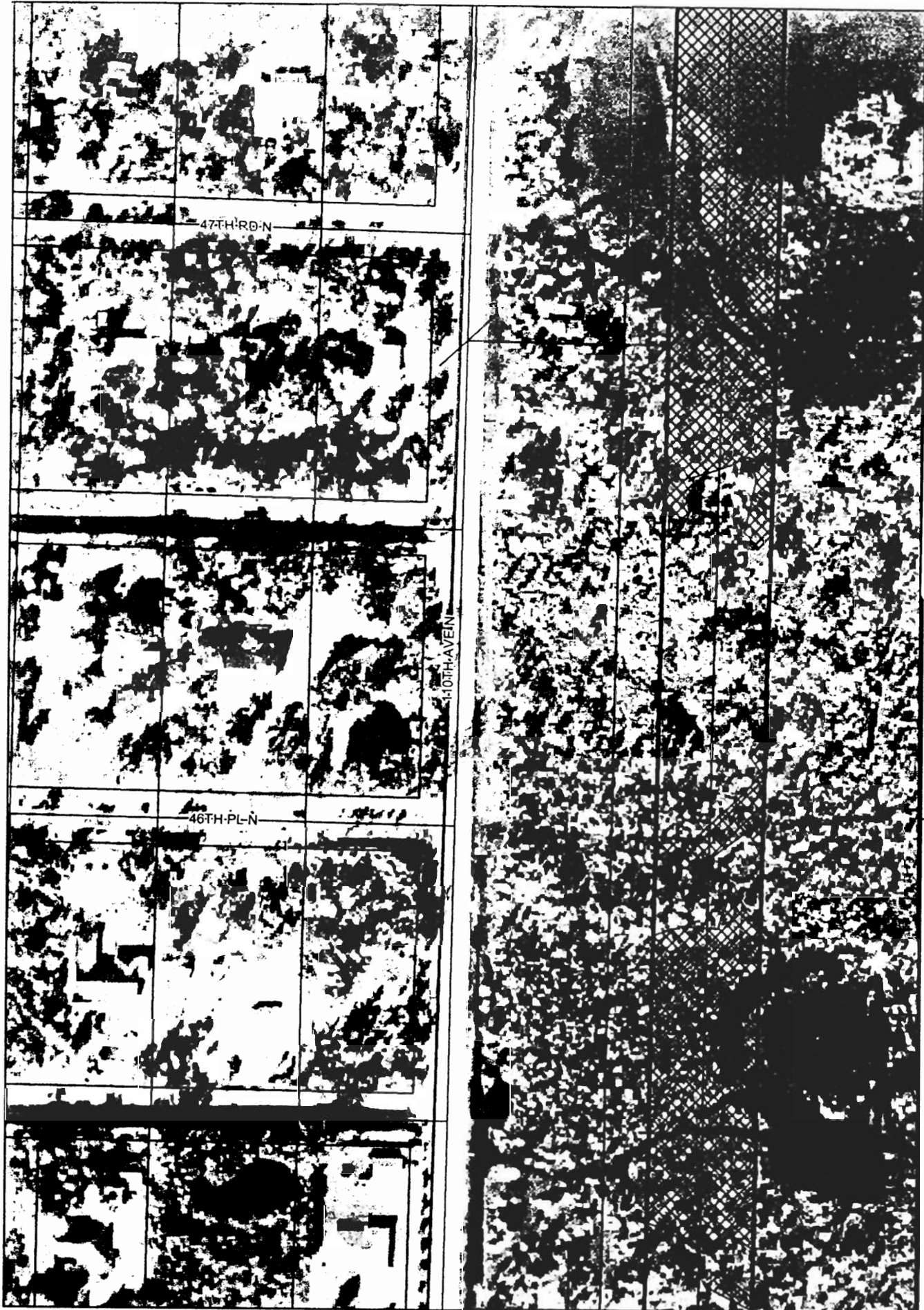
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PROPOSED WETI
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D.A. # SAJ-2002-8273
Drawing Number 22 of 33
Date: 10/21/04

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PROPOSED WE
ACREAGE REI
OKEECHOBEE E

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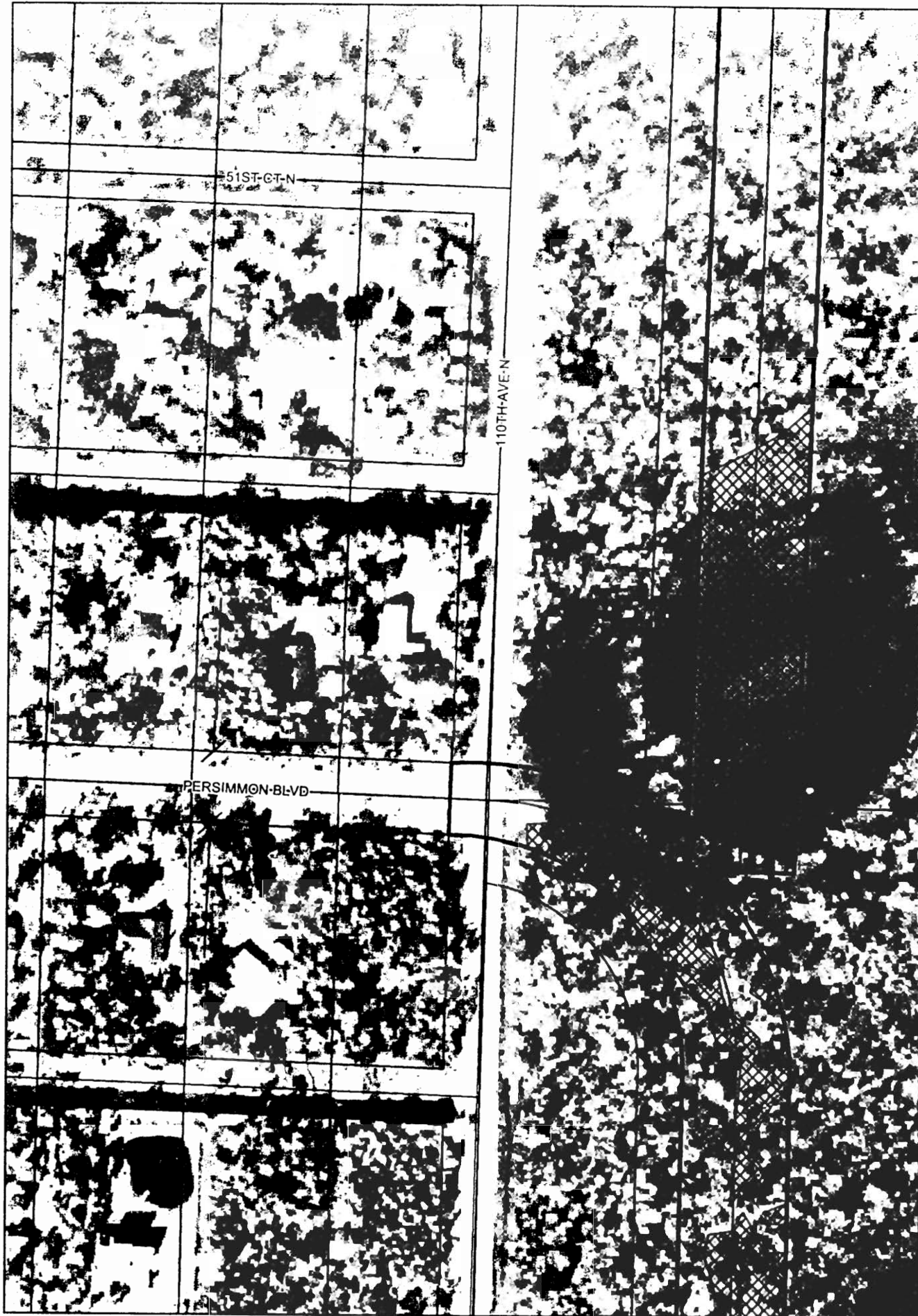
PROPOSED WE1
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D.A. # SAJ-2002-8273
Drawing Number 24 of 33
Date: 10/21/04

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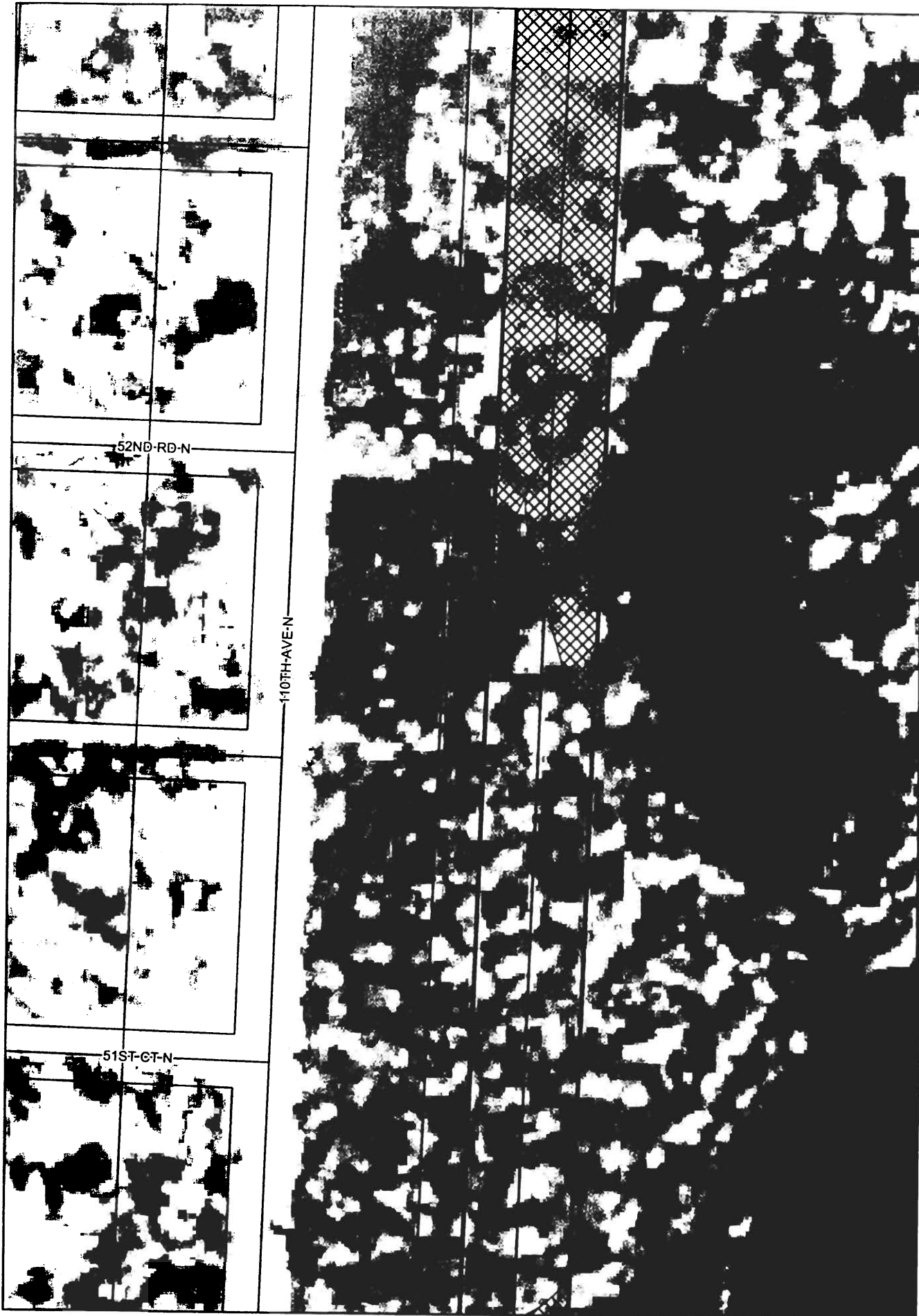
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**PROPOSED WET
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OKEECHOBEE BI**

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D.A. # SAJ-2002-8273
Drawing Number 25 of 33
Date: 10/21/04

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8268 N MILITARY TRAIL, SUITE 3
PALM BEACH GARDENS, FL 33410
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MOBILE: (861) 662-8649
FAX: (861) 622-7831

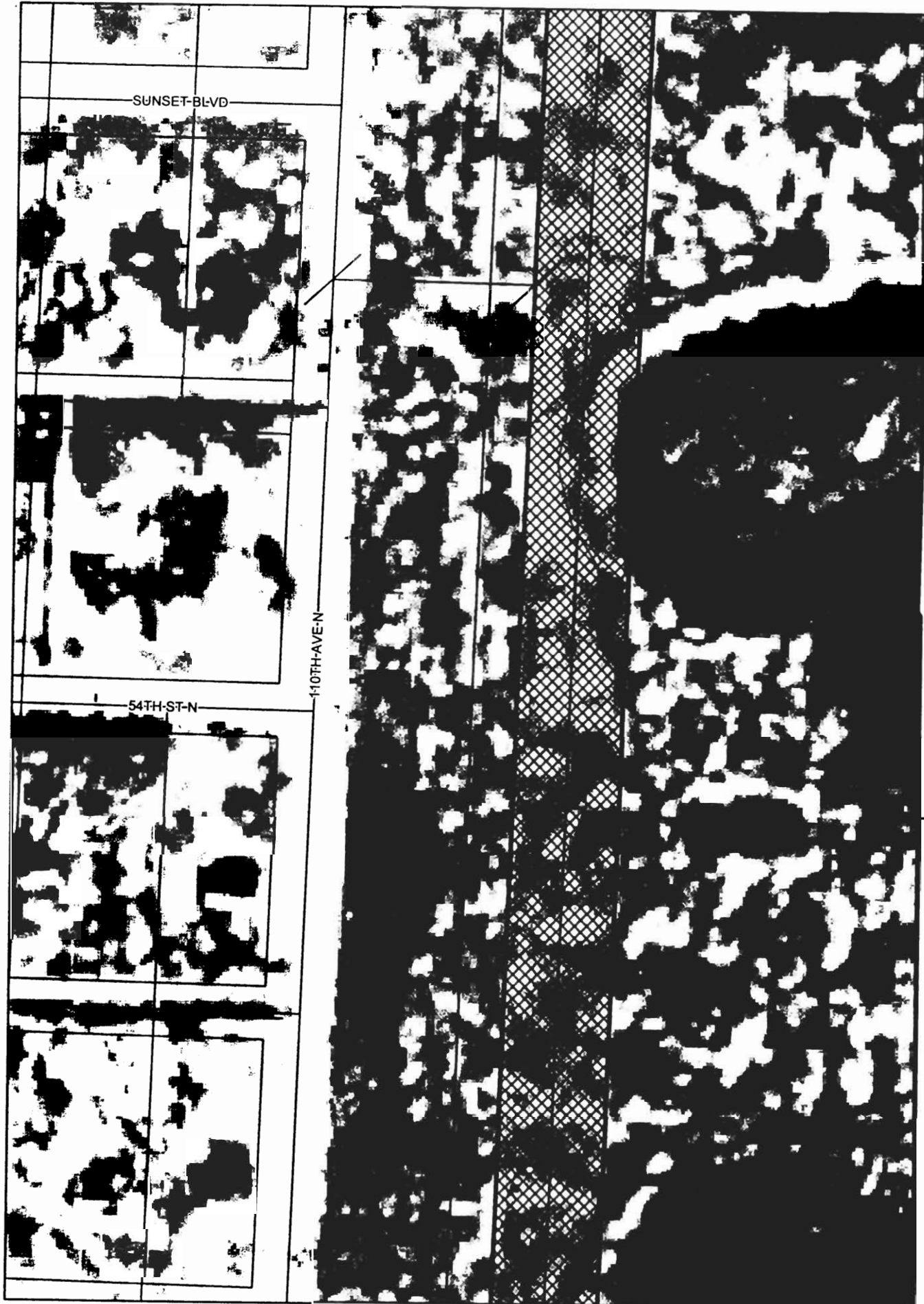
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OKEECHOBEE I**

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D.A. # SAJ-2002-8273
Drawing Number 26 of 33
Date: 10/21/04

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Scale: 1" = 140'

Date: 10/11/04



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Date: 10/11/04

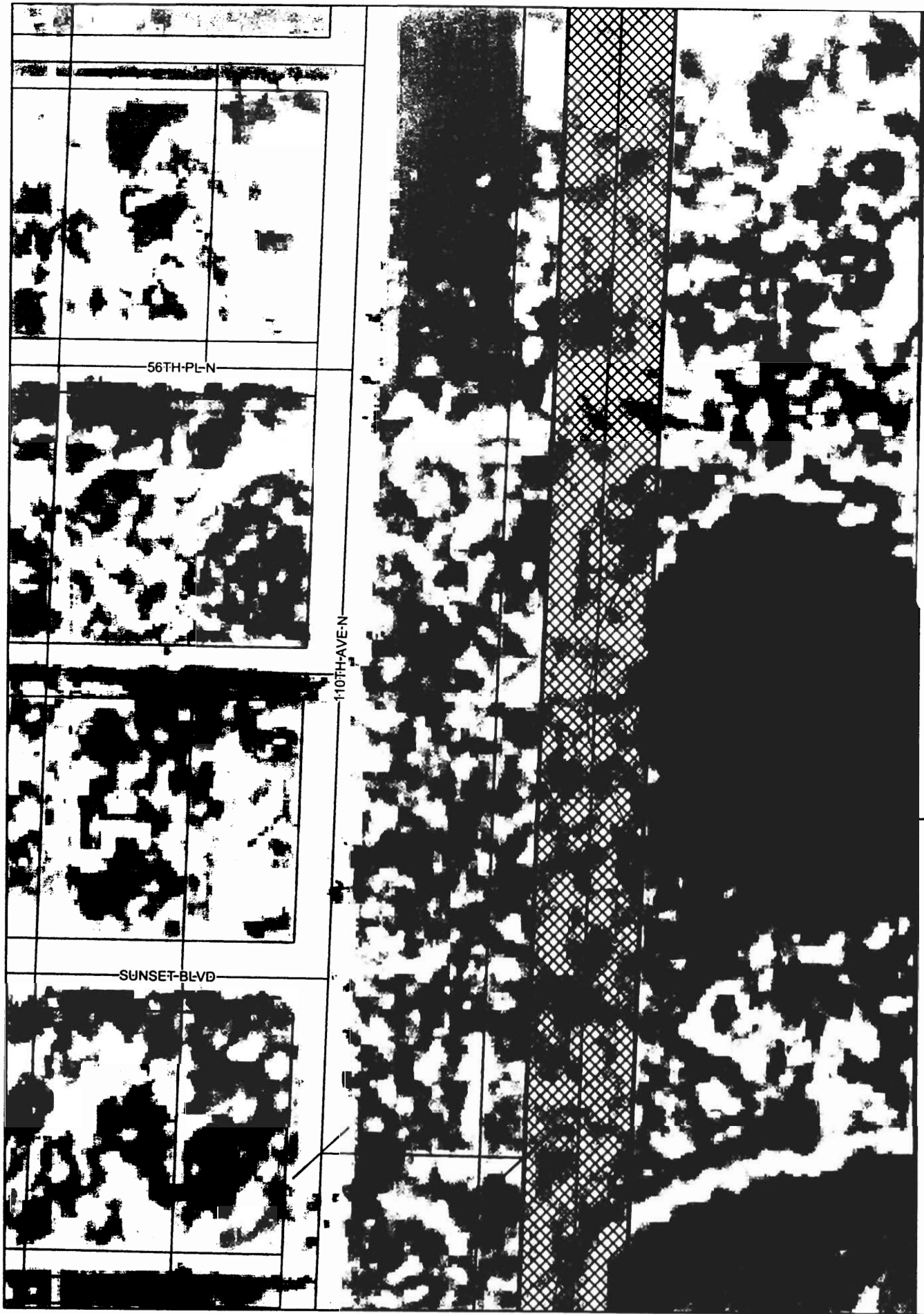
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D.A. # SAJ-2002-8273
Drawing Number 27 of 33
Date: 10/21/04

**PROPOSED V
ACREAGE F
OKEECHOBEE**

JAMES F. SCHNELLE, JR. P.E. CONSULTANT
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8289 N MILITARY TRAIL, SUITE 3
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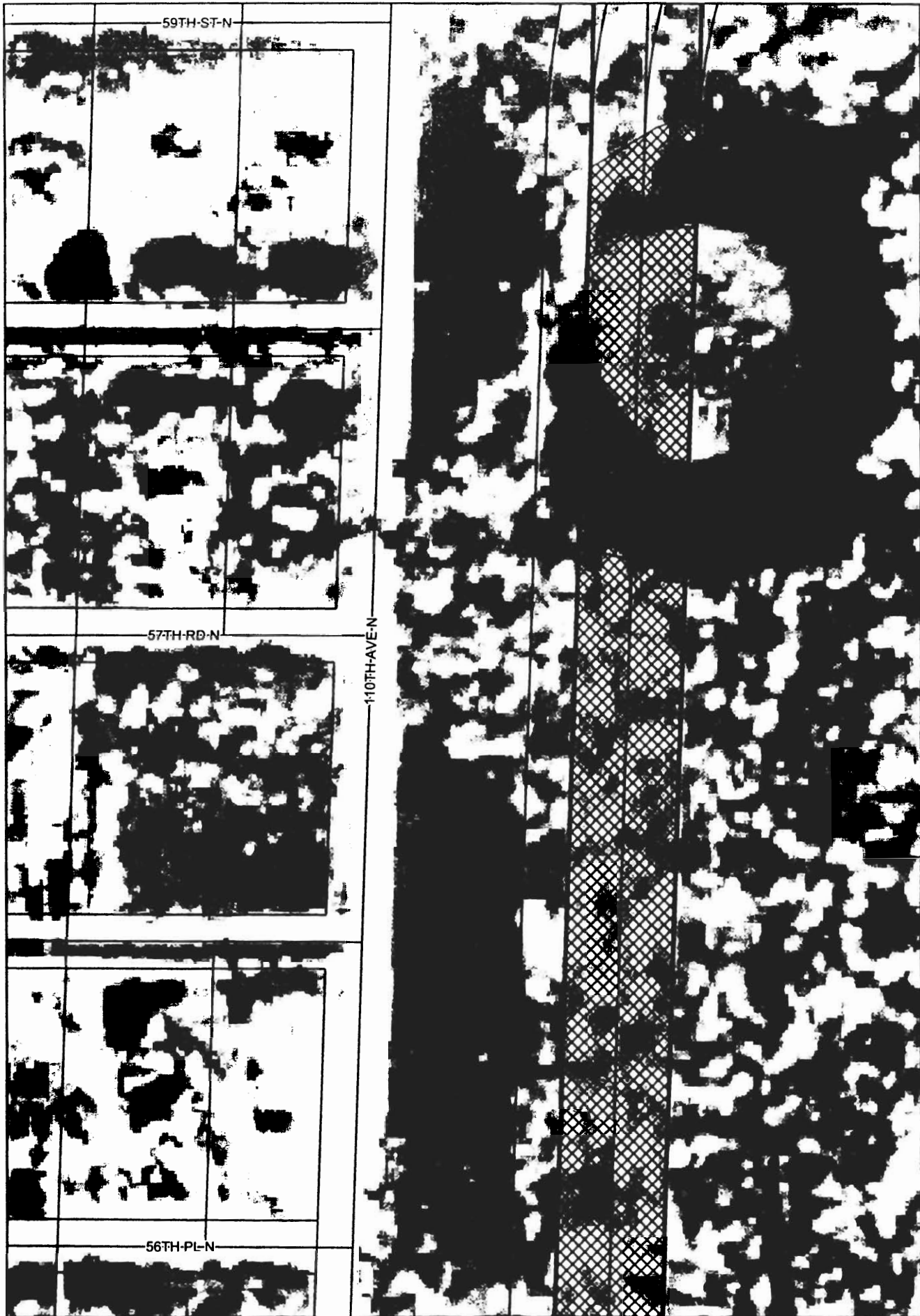
8259 N MILITARY TRAIL, SUITE 3
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**PROPOSED W1
ACREAGE RE
OKEECHOBEE**

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D.A. # SAJ - 2002 - 8273
Drawing Number 28 of 33
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FAX: (861) 622-7631

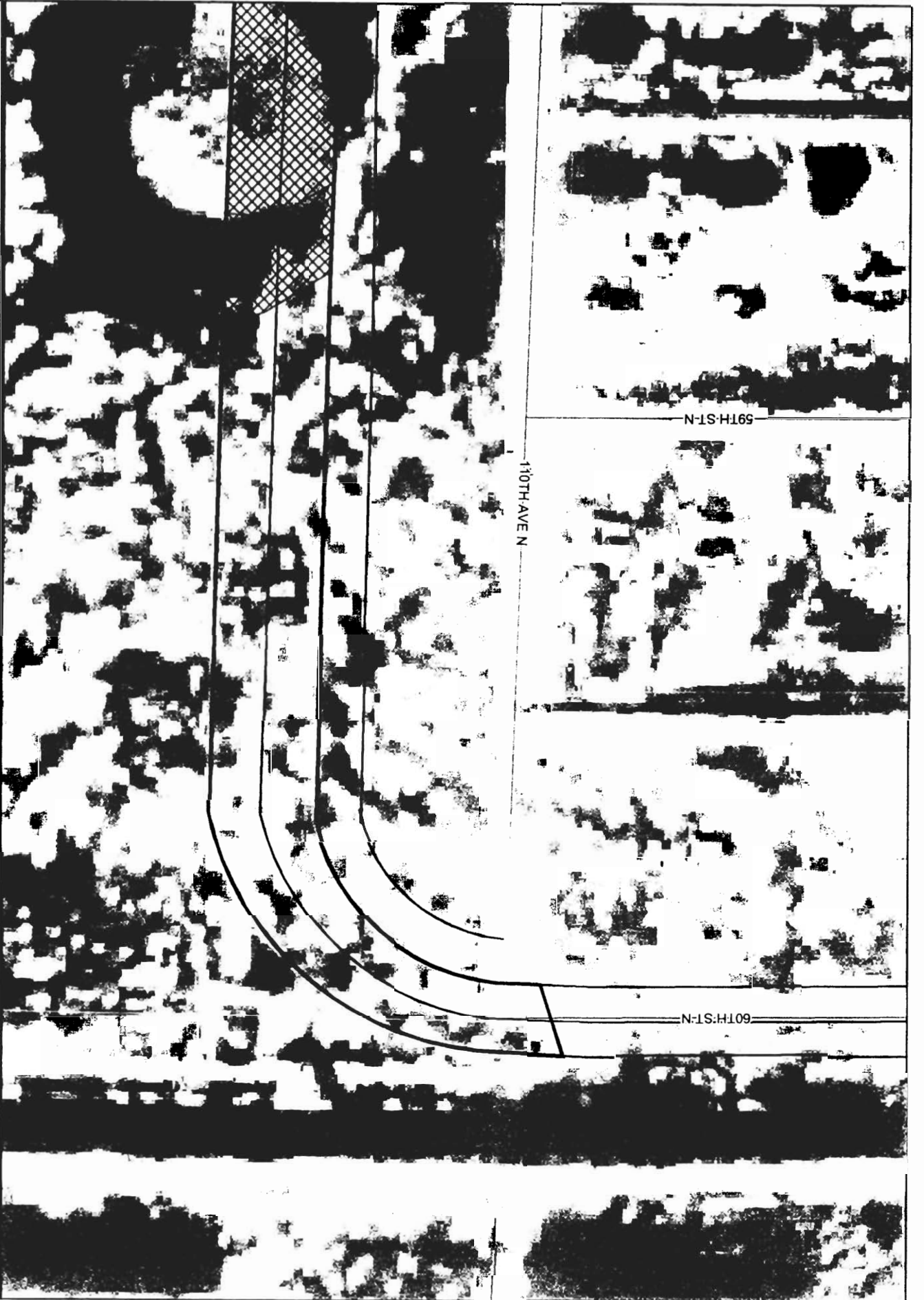
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D.A. # SAJ-2002-8273
Drawing Number 29 of 33
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PROPOSED WE
ACREAGE REI
OKEECHOBEE F

U.S. Army Corps of Engineers
D.A. # SAJ-2002-8273
Drawing Number 30 of 33
Date: 10/21/04

Checked: JFS

Scale: 1" = 140'

Date: 10/11/04

PERSIMMON BLVD. SR 7 EXTENSION
PROPOSED MITIGATION, MAINTANCE AND MONITORING
ATTACHMENT A
3/12/03

A. Proposed Mitigation, Maintenance and Monitoring

The driving force in the proposed mitigation plan is the acquisition and preservation of section 1 located north of the project site. This remnant wet prairie, hydric pine and pine flatwood ecosystem forms a portion of the historic Loxhatachee slough.

I. Mitigation – SFWMD/USACOE

a. Off- Site Mitigation --Scenario A -Section 1

Proposed mitigation to offset unavoidable impacts to wetlands will entail off-site preservation of Section 1. As mitigation for 64.26 acres of direct wetland impacts, 346 acres of wet prairie and hydric pine flatwood wetlands will be preserved. In addition, 250 acres of pine flatwood uplands will be preserved through the acquisition of Section 1. Section 1 is bordered on the west by 110th street, on the north by 60th street/ M canal, on the east by the City of West Palm Beach Water Catchment Area and on the south by Palm Beach County Pond Cypress Slough Natural Area.

This acquisition will create a wildlife corridor and provide habitat for protected species in addition to other useful wetland functions.

b. Off-Site Mitigation –Scenario B – Unit 11

Proposed mitigation to offset direct impacts to Wetlands 1-6 and 8 totaling 28.08 acres will be via Unit 11. Direct impact to Wetland 7 and secondary impacts will be mitigated on-site as described in the following section.0

c. On- Site Restoration /Enhancement

To offset 145.92 acres of secondary impacts, Wetland #7 will be restored through the eradication of exotic species, hydrologic restoration by removal of sediment buildup and debris, scrapedown and construction of braided channels, supplemental planting and preservation and enhancement of uplands and wetlands lying west of the proposed road.

The following is a summary of mitigation work programs to be accomplished to restore Wetland #7 and provide a functional habitat and ecosystem.

1. Wetland Restoration/Enhancement – RW #7

RW-7 (118.36 acres)

Approximately 118.36 acres of dense melaleuca will be cleared and 103.68 acres will be scraped down 2.0-4.0 feet below existing grade to elevation 13.5-15.0 NGVD and planted with aquatic species and hydric hardwood as presented in Habitat Units A and B. Approximately 3,400 lineal feet of braided channels will be constructed by excavation to elevation 13.0 NGVD and planted with Habitat Unit A - Marsh/Swamp and Habitat Unit B - Hydric Hardwood Swamp. In addition, approximately 33.2 acres of hydric hardwood swamp and 19.12 acres of braided channels/marsh will be restored through planting with Habitat Units A and B.

Removal of exotics, sediment build-up and debris will be accomplished through the scrapedown procedure.

2. Upland Preserve Re-Vegetation—Tree Spade Units

Following the removal of exotics, impacted areas will be restored by transplanting native trees from the roadway and berm footprint area using a mechanical tree spade and/or

backhoe. Approximately 622 tree spade units (622 T.S.U.'s) will be relocated.

3. Wildlife Habitat Restoration and Upland Buffer and Preserve Planting (14.63 acres)- Habitat Unit C

Supplemental planting of wildlife forage areas will be established on the west boundary of wetland # 7.

4. Upland Preserve/ Buffer (24.78 acres)

An upland buffer/preserve will be provided on the west side of wetlands 1-6 & 8 lying between 110th street and the proposed roadway.

5. Wetland Preserve (48.0 acres)

Approximately 48 acres of wetland preservation will be provided on the west side of wetlands 1-6 & 8 lying between 110th street and the proposed roadway.

II. Maintenance

Herbicide maintenance activities will be conducted quarterly for the first year, semi-annually for two years and annually thereafter for a total of ten (10) maintenance events.

Upland and wetland preserve areas will be maintained in perpetuity for control of exotics and invasive weed species (less than 10%). The coverage of exotic plant species shall be 0% after each maintenance activity and no more than 5% between activities.

IMPACT ON NATURAL RESOURCES: Preliminary review of this application indicates that an Environmental Impact Statement will not be required. Coordination with U.S. Fish and Wildlife Service, Environmental Protection Agency (EPA), the National Marine Fisheries Services, and other Federal, State, and local agencies, environmental groups, and concerned citizens generally yields pertinent environmental information that is instrumental in determining the impact the proposed action will have on the natural resources of the area. By means of this notice we are soliciting comments on the potential effects of the project on threatened or endangered species or their habitat.

IMPACT ON CULTURAL RESOURCES: Review of the latest published version of the National Register of Historic Places indicates that no registered properties, or properties listed as eligible or inclusion therein, are located at the site of the proposed work. Presently, unknown archeological, scientific, prehistorical, or historical data may be lost or destroyed by the work to be accomplished.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including cumulative impacts thereof; among these are conservation, economics, esthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act of the criteria established under authority of Section 102(a) of the Marine, Protection, Research, and Sanctuaries Act of 1972. A permit will be granted unless its issuance is found to be contrary to the public interest.

The U.S. Army Corps of Engineers (Corps) is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make or deny this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

COASTAL ZONE MANAGEMENT CONSISTENCY: In Florida, the State approval constitutes compliance with the approved Coastal Zone Management Plan. In Puerto Rico, a Coastal Zone Management Consistency Concurrence is required from the Puerto Rico Planning Board. In the Virgin Islands, the Department of Planning and Natural Resources permit constitutes compliance with approved Coastal Zone Management Plan.

REQUEST FOR PUBLIC HEARING: Any person may request a public hearing. The request must be submitted in writing to the District Engineer within the designated comment period of the notice and must state the specific reasons for requesting the public hearing.


John R. Hall
Chief, Regulatory Division